

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of

Laurence Hubert et al.

Art Unit: 2176

Application No.: 10/766,675

Examiner: Maikhanh Nguyen

Filed: January 27, 2004

Docket No.: 99398QC-US-NP
XERZ 2 02296-1

Title: META-DOCUMENT AND METHOD OF MANAGING

Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF RESPONSE
TO NON-COMPLIANT
APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

Dear Sir:

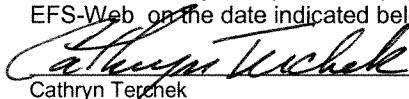
This is in response to the Notification of Non-Compliant Appeal Brief mailed March 30, 2009. In this Action, it was noted that Appellant's Appeal Brief dated December 9, 2008 includes an Objection to the Specification under the heading "GROUNDS OF REJECTIONS TO BE REVIEWED ON APPEAL".

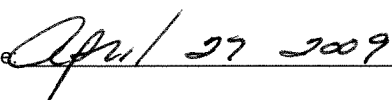
Appellant herewith includes an Amended Appeal Brief that removes the defective portion of the Appeal Brief that included an Objection to the Specification.

Payment for the required fee for the filing of this Appeal Brief was made with the filing of the original Appeal Brief on December 9, 2008.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this paper and/or fee is being transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.


Cathryn Terchek

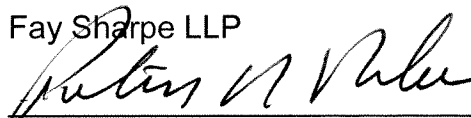
Date  04/27/2009

The undersigned attorney is authorized to act on behalf of the Assignee, as evidenced in the attached STATEMENT UNDER 37 CFR 3.73(b) and CHANGE OF CORRESPONDENCE ADDRESS and Power of Attorney to Prosecute Applications Before the USPTO (Form PTO/SB/80). Please change the correspondence address as indicated in the attached Form PTO/SB/80. The title page and signatory page of the Amended Appeal Brief have been revised to indicate the appropriate attorney information.

Respectfully submitted,

4/27/09
Date

Fay Sharpe LLP



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Attachments:

Amended Appeal Brief
Statement Under 37 CFR 3.73(b)
USPTO Form PTO/SB/80